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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,685	04/08/2004	Aurobinda Pradhan	13906-194001/2004P00155	8526
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FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER SAIN, GAUTAM	
			ART UNIT 2176	PAPER NUMBER

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/820,685

Applicant(s)

PRADHAN, AUROBINDA

Examiner

Gautam Sain

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                               |                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                              | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                          | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/06</u> . | 6) <input type="checkbox"/> Other: _____                                                |

**DETAILED ACTION**

- 1) This is a Final rejection in response amendments/remarks filed on 7/14/2006.
- 2) Claims 1-19 are pending and rejected below.
- 3) Effective filing date 4/8/04.

***Claim Rejections - 35 USC § 103***

- 4) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 4-1) **Claims 1, 2, 4-17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rivette et al (US 6389434, issued May 14, 2002).**

**Regarding claims 1, 12 and 16,** Rivette teaches displaying a view of a selectable electronic document on a graphical user interface. For example, Rivette discloses a method for creating subnotes linked to portions of data objects, where user viewing a note can view sub-notes attached to the note in the source (col 4, lines 3-6) on a GUI on the screen (col 21, lines 55-58).

Rivette teaches receiving, while the view of the selected electronic document is being displayed, a predetermined user input generated with an input control to create a first new electronic document. For example, creating a sub-note in a note based on the requests from the user viewing the document, to display selected portion linked to the subnote attached to the note (col 4, lines 1-7).

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Rivette teaches creating the first new electronic document in response to receiving a user input, wherein the selected electronic document and the first new electronic document are linked to each other, and wherein upon a view of the first new electronic document being displayed in the graphical user interface, the input control can be used to create a second new electronic document that is linked to the first new electronic document. For example, Rivette creating sub-notes associated and linked to the note while note is being viewed by the user based on the user's request (col 2, lines 1-7; col 5, lines 40-55). Rivette is directed to a method of linking notes to data objects that enables a user to create a sub-note-in a note, and links the sub-note to the selected portion (col 3, line 65-col 4, line 5).

Rivette does not expressly teach predetermined user input, but does suggest it based on it's disclosure. For example, Rivette discloses operations of the invention with menu options for creating a note/sub-note (col 5, lines 25-30).

It would have been obvious to one of ordinary skill in the art at the time of the invention to interpret Rivette's disclosure to include a menu options for creating notes/sub-notes as to suggest a predetermined user input, providing the benefit of organizing information such that the data objects that relate to a particular topic are associated with other data objects that are related to the same topic (Rivette, col 1, lines 49-53).

**Regarding Claims 2 and 17,** Rivette teaches providing ... to be created. For example, Operations of the invention that provide in a Note menu, options to create a Note/Sub-

note (col 5, lines 28-30) where the user makes a selection from the note menu to create a note/sub-note.

**Regarding Claims 4, 11 and 19**, Rivette teaches predetermined user input specifies that the first new electronic document is a follow-up of the selected electronic document. For example, the user making a request to create a sub-note for a note by selecting command 5.2 from the Note Menu for Operation of the Invention (col 4, lines 2-5; col 5, lines 25-30).

**Regarding Claims 5 and 13**, Rivette teaches storing an identifier ... the first new electronic document to link them to each other. For example, storing the notes/subnotes in the notes database with note identifier field as Note A (col 19, lines 20-23; col 25, lines 13-15).

**Regarding Claims 6 and 14**, Rivette teaches using the identifier ... while a view of the selected electronic document is being displayed, provide access to the first new electronic document. For example, subnotes linked to source materials where line 4230 is bi-directional from source to the note and back to the source (col 8, lines 24-30; Fig 31A and 31B).

**Regarding Claim 7 and 15**, Rivette teaches using the identifier ... while the view of the selected electronic document is being displayed, to provide access to the first new electronic document. For example, subnotes linked to source materials where line 4230 is bi-directional from source to the note and back to the source (col 8, lines 24-30), where in Fig 31B are linked to source document in 31A on the same user interface (col 8, lines 24-30; Fig 31A and Fig 31B).

**Regarding Claim 8**, Rivette teaches making a determination ... displayed; and generating ... determination. For example, displaying the sub-note based on the selected portion of the note on the display window screen (col 4, lines 1-10).

**Regarding claim 9**, Rivette teaches a first identifier ... a second identifier is stored in association with the first new electronic document to link them to each other. For example, bi-directional links allow users to navigate from objects to sub-notes via links (col 11, lines 25-30).

**Regarding claim 10**, Rivette teaches selected electronic document ... link them to each other. For example, since all of the notes and sub-notes can be embedded, from source to Note A to Note B to Note C, Note B is a third note that is associated to the source document via a linked list connecting source to note A and then Note A to Note B (col 25, lines 13-24).

**4-2) Claims 3 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rivette et al (US 6389434, issued May 14, 2002), further in view of Non-Patent Literature “An opening linkage service supporting the authoring of web documents” by Renato Bulcao Neto (2002; ACM Press)(hereinafter “Neto”).**

Regarding claims 3 and 18, Rivette does not expressly teach, but Neto teaches predetermined user input ... not linked to the selected electronic document. For example, Neto discloses web notes that are independent of any document created by operations, as shown in the window in Fig 4 (page 70, section 4.1), where the user can makes a selection from the menu (which presumably means that it is a predetermined option).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rivette to include web notes that are independent of any documents as taught by Neto, providing the benefit of allowing web authors to separate the task of generation of the document content from the task of supporting or elaborating appropriate linkage structures by using an open linking service (page 66, second column bottom paragraph to page 67, top paragraph).

### ***Response to Arguments***

Applicant's arguments filed 7/14/2006 have been fully considered but they are not persuasive. Applicant argues that Rivette does not teach creating other notes linked to the created note. The examiner disagrees because Rivette is directed to a method of linking notes to data objects that enables a user to create a sub-note-in a note, and links the sub-note to the selected portion (col 3, line 65-col 4, line 5). The claims do not positively state creating a second new electronic document. Specifically, amended claim 1 says that the input can be used to create a second new document that is linked to the first document.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 571-272-4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BS  
GS 9/30/06

  
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